

FARMINGTON CITY PLANNING COMMISSION MEETING
Thursday, January 29, 2009

PLANNING COMMISSION STUDY/WORK SESSION

Present: Chairman John Bilton, Commission members Steve Andersen, Rick Draper, Randy Hillier, Michael Wagstaff, Jim Young, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Commissioners Craig Kartchner and Geoff Butler were not in attendance.

Chairman John Bilton welcomed the Commission members, City Staff and others in attendance and began discussion at 6:30 p.m.

(Agenda Item #1) Approval of Minutes

Chairman Bilton asked if there were any comments, additions or subtractions regarding the minutes of the January 15, 2009 meeting. **Michael Wagstaff** pointed out a correction on page 4 and said that Agenda Item #3 was not a public hearing and needs to say that it was opened for discussion. **Chairman Bilton** said this change will be reviewed in the regular session. **Chairman Bilton** also asked if the changes had been made regarding the December 4, 2008 minutes. **Glenn Symes** said he had tried to contact **Rick Wyss** but was unable to reach him, and those minutes will be addressed at the next meeting.

(Agenda Item #2) City Council Report

Glenn Symes stated that the City Staff was able to get more feedback regarding SPARC, but they are still working on it. He said they are planning to have a public meeting regarding this Item in the near future.

(Agenda Item #3) – Farmington City - Dwight Poulson – (Public Hearing) – Applicant is requesting a recommendation for a zone change from LR (Large Residential) to R-4 (Multi-family Residential) on 0.68 acres located at 1266 North Main Street (Z-08-08).

Chairman Bilton asked Staff to comment on the key issues regarding this item. **Mr. Symes** stated that Staff is not recommending approval of this item tonight. He listed three main reasons: (1) This zone change request is not consistent with the general plan. (2) There are no other properties in the area that are similar to this property; it may be considered a spot zone because it is very isolated. (3) Staff feels that the two entitlements granted to the applicant in the past year created the opportunity for the owner to increase the use of his property. **Chairman Bilton** asked if there were any drainage issues, and there was a brief discussion regarding the drainage system. The Commission agreed that because of the location of the property, granting more density would affect traffic and congestion in the area.

(Agenda Item #4) - Farmington City (Public Hearing) – Applicant is requesting a recommendation for a zone change from OTR (Original Townsite Residential) to BR (Business Residential) on 1.42 acres of property located at 130 North Main Street and 142 North Main Street (Z-1-09)

Chairman Bilton asked for comments regarding this Item. **David Petersen** said that the BR (business residential) zone currently in downtown Farmington used to be a C-2 (commercial) zone. Four properties to the east of the 1.42 acres are all zoned BR. This property was never zoned differently because there was a city park next to it along with the old tithing office/city hall. The C-2 zoning does not match the use of the property. The BR zone is much more compatible with the adjacent properties. Staff recommends that the Planning Commission rezone this property from C-2 to BR. He stated that they have not received any comments or feedback from any of the neighbors in the area. **Randy Hillier** asked if the City has an agreement with the school district, and **Mr. Petersen** replied that there is no agreement yet. He confirmed that the school district has a need for expansion and said that selling this building to the school district is a possibility.

(Agenda Item #5) - Farmington City – (Public Hearing) – Applicant is requesting a recommendation for amendments to the Farmington City Master Transportation Plan and the Mixed Use chapter (Chapter 18) of the Zoning Ordinance. The proposed changes include amendments to the cross section and proposed location of a major collector road running northwest from Park Lane and connecting to Burke Lane (ZT-1-09)

David Petersen referred to the staff report prepared by **Glenn Symes**. Staff and Traffic Engineer **Tim Taylor** had contemplated a 5-lane facility from Park Lane (west of I-15) to Burke Lane. Upon further consideration, however, **Mr. Taylor** confirmed that a 3-lane facility would be sufficient, the cross section would be discussed in the regular session. He said that **Mr. Taylor** and **Soren Simonsen** would both be at the regular session to discuss this issue. There was some discussion regarding the number of lanes, parking strips, landscaping, and future expansion of the road. **Mr. Petersen** recommended that the Commission continue this hearing until February 12, 2009, but he said they would take public comment in the regular session.

Rich Haws, 1869 North Bella Vista, Farmington, asked if he could make a few comments. He discussed two items: (1) This item is on the City Council agenda for next Tuesday, February 3, 2009, and he agreed with Staff regarding the need for another extension, but he asked for specific feedback and comments from the Planning Commission. **Mr. Haws** said that the previous name of “road to the north” has been named Station Parkway. He reviewed the background of Station Parkway and said that when the RDA was formed, the Tax and Entity Committee considered this to be a significant road. This Committee, which is comprised of school board members, the county, and the City, voted to put in a redevelopment area and established an \$18,500,000 budget. The Station Parkway road was a key piece because it would encourage development outside of the RDA and would allow tax increments for the school district, the county and the City. Some of the budget was allocated for the construction of infrastructure. He expressed his desire to make this a very efficient and attractive development.

Chairman Bilton commented that the Planning Commission would like to help with the City’s goal of doing this project right. He said the Commission would not be taking a straw vote, but encouraged them to give specific feedback regarding this issue. He said the miscellaneous items would be discussed in the regular session and adjourned the meeting at 6:58 p.m.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman John Bilton, Commission members Steve Andersen, Rick Draper, Randy Hillier, Michael Wagstaff, Jim Young, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Commissioners, Craig Kartchner and Geoff Butler were excused.

Chairman Bilton welcomed the public, Planning Commission members, and City Staff to the meeting at 7:00 p.m. **Jim Young** offered the invocation.

Approval of Minutes (Agenda Item #1)

Chairman Bilton asked if there were any comments, additions or subtractions regarding the minutes of the January 15, 2009 meeting. **Steve Andersen** made a motion to approve the minutes with the one change that was discussed in the work session. **Michael Wagstaff** seconded the motion, and it was unanimously approved.

City Council Report (Agenda Item #2)

David Petersen said the City Council presented service awards to former Commission members **Paul Barker, Kevin Poff** and **Rick Wyss**. He reminded the Commission that in December they recommended the annexation of 20 acres of property in west Farmington (1525 West) and said the City Council approved the ordinance. The property will be added into the City within 30 days. The Commission's recommendation to reapprove final plat approval for Farmington Greens Phase 2B was also approved by the City Council. The Council also passed a Development Agreement with the LDS Church for the North Main Street church. He explained that when the road is built, there will be some long acceleration/deceleration lanes. The deceleration lane (located at approximately 1000 North Main) is going to be 700 or 800 feet long which is a UDOT standard. He said Staff and the LDS Church debated with UDOT about this issue, because they did not feel the lane was necessary; however, UDOT would not change their plan. **Mr. Petersen** said that discussions regarding SPARC are progressing. He also said that Staff would provide more information to the City Council regarding Agenda Item 15 (Station Parkway) on February 3, 2009. **Chairman Bilton** asked if a decision had been made about whether or not Planning Commission members would participate in SPARC. **Glenn Symes** replied that he has not been able to talk with **Todd Godfrey** regarding the issue.

Farmington City - Dwight Poulson – (Public Hearing) – Applicant is requesting a recommendation for a zone change from LR (Large Residential) to R-4 (Multi-family Residential) on 0.68 acres located at 1266 North Main Street (Z-08-08) (Agenda Item #3)

Background Information

Glenn Symes said the applicant is requesting a recommendation for a zone change from LR to R-4 on two lots at 1266 North Main Street. In 2008, the applicant requested a zone change on the back portion of this property to make the entire property consistent with the LR zoning. He then applied for a flag lot subdivision on the same property, and that request was granted.

The applicant is now requesting to rezone the property to a multi-family designation for the construction of medium density housing units. **Mr. Symes** referred to the property on the overhead map and said this change would allow for about 6 units on the property. He said Staff is recommending a denial of this application, and he listed the following reasons: (1) the request is not consistent with the general plan. (2) There are no adjacent properties around this property with similar zoning; therefore, it may be considered a spot zone. (3) The applicant has received two land use entitlements (zone change from A to LR, flag lot approval) on the property during the past year. He said Staff has worked with the property owner to get a fair number of entitlements for this property, and they think the R-4 zone is too much density for this area.

Public Hearing Opened

Chairman Bilton opened the public hearing at 7:10 p.m. He invited the applicant to speak first, and then he invited others to comment.

Dwight Poulson, 1288 North Main, Farmington, said that his original plan regarding this property was to build a large home on the back of the property. However, if he did that, he would not be able to make any changes with the front. If the zoning was changed to R-4, he would be able to build housing for senior citizens. He said his intention with the property has always been to improve it. He appreciated the approval of the flag lot but would like to hear the Commission's response in regard to this request.

Robert Flynn, 1291 Meadowbrook Court, Farmington, said he is against having multiple units on this location. He was not happy with the flag lot approval recently granted to the property owner. He pointed out that all of the homes in this area are \$1,000,000 and above homes, and he does not believe that having six more units would be a good plan because it would be inconsistent with the existing neighborhood. He said there are many children in the area, and Main Street is congested much of the time. He also said that while the applicant's plan may be for residential housing, that may or may not be what actually happens over the long term.

Paul Underwood, 603 West 1300 North, Farmington, is an adjacent property owner. He said he was not happy approval for a flag lot was granted. He has been happy with some of the other decisions the City has made regarding this area. He is concerned that multi-residential housing in that area on Main Street would only increase traffic and other activity, and it would not be conducive to the surrounding properties. He said he was against this zone change.

Greg Costley, 471 Hidden Meadow Way, Farmington, said he is also an adjacent property owner. While the intention is that seniors would be living there, there is no control over who would actually live there. He does not believe it is the right time to make a change to the entitlements that were given in the past year.

Public Hearing Closed

Chairman Bilton closed the public hearing at 7:20. He asked for comments from the Commission. **Steve Andersen** said it is apparent that high density is a concern to the people who have adjacent property in this area. He appreciates the idea of being able to make the property better, but he does not agree with allowing six units on this property.

Motion

Jim Young made a motion that the Planning Commission recommend denial of the requested zone change from LR to R-4 on the property located at 1266 North Main Street for the reasons mentioned. **Rick Draper** seconded the motion, and it was unanimously approved.

Findings for Denial:

1. The request for zone change is not consistent with the Farmington City General Plan Land Use map.
2. There are no adjacent or surrounding properties in the general area with a zoning designation similar to what the applicant is requesting.
3. There are traffic issues in the area.
4. It would be a spot zone.
5. Entitlements were granted in the past year.

Farmington City (Public Hearing) – Applicant is requesting a recommendation for a zone change from OTR (Original Townsite Residential) to BR (Business Residential) on 1.42 acres of property located at 130 North Main Street and 142 North Main Street (Z-1-09) (Agenda Item #4)

Background Information

Glenn Symes said this is a request from Farmington City to change the zoning of the City Hall and Museum properties from OTR to the BR zone. Staff feels the BR zone is more consistent with the actual land use for the buildings. He said Davis School District is most likely to take over the current city hall building, and the City would like the zoning to be consistent with the current and future land use.

Public Hearing Opened

Chairman Bilton opened the public hearing at 7:25 p.m. and asked if anyone had signed up to speak regarding this application or if anyone in the audience wished to speak on this Item. There was no public comment.

Public Hearing Closed

Chairman Bilton closed the public hearing at 7:25 p.m. He asked for comments from the Commission.

Motion

Steve Andersen made a motion that the Planning Commission recommend approval of the requested zone change from OTR (Original Townsite Residential) to BR (Business Residential) on 1.42 acres of property located at 130 North Main Street and 142 North Main Street. **Michael Wagstaff** seconded the motion, and it was unanimously approved.

Findings for Approval:

1. The established use of the subject property is more consistent with the purpose of the BR zone.
2. Adjacent properties with similar uses have the BR zoning classification and the change would make the subject property more consistent with adjacent zoning classifications.

Randy Hillier left the meeting at 7:30 p.m. because he was not feeling well.

Farmington City – (Public Hearing) – Applicant is requesting a recommendation for amendments to the Farmington City Master Transportation Plan and the Mixed Use chapter (Chapter 18) of the Zoning Ordinance. The proposed changes include amendments to the cross section and proposed location of a major collector road running northwest from Park Lane and connecting to Burke Lane (ZT-1-09) (Agenda Item #5)

Chairman Bilton informed those in attendance that the road which has previously been called “Road to the North” has been named Station Parkway.

Background Information

David Petersen referred to the exhibits which he handed out in the study session. He stated that Staff has worked on this road for more than ten years, and their goal has been to implement a plan for a road west of the freeway that would facilitate the movement of traffic in that area. In the master transportation plan, the road was planned as a three-lane facility. He discussed the alignment of the road and asked for public input. Staff has been working with the two property owners who are involved--**Rich Haws** and the **Cook** family--and they are both in agreement with the alignment. **Mr. Petersen** asked Tim Taylor to discuss the number of lanes, the width as it gets close to Park Lane, and the future plans of the road. He asked **Soren Simonsen** to discuss side treatments, the median, and other issues.

Tim Taylor, 5101 Clover Lane, Murray, discussed two issues regarding this Item: (1) One of the unique items involved with a raised median and one lane in each direction is that the fire code requires that there be a 20-foot clear zone (a section of asphalt that has to be clear at all times). (2) The heaviest traffic burden is at the intersection at Park Lane, and double left turn lanes, a single through lane, and a separate right turn lane are essential. He detailed various assumptions regarding traffic in the future and stated that based on those assumptions, the three-lane facility would easily accommodate the traffic during peak periods. He also explained that the median does not really have an impact on the capacity of the road. Another item related to the median is that when a left-turn pocket is added at each intersection, the area available for planting is limited.

Soren Simonsen, 700 North 200 West, Salt Lake City, discussed two issues: (1) He recommends the three-lane configuration; however, there are other options. It would be possible to convert the road at some point to a 5-lane road which may or may not include on-street parking. (2) His ultimate goal is to provide a more intimate streetscape, and he listed several considerations: (a) whether or not we should have provisions for bicycles, (b) size of the median, (c) focusing the landscape on the perimeter of the street, which is where the pedestrian activity is going to be greatest. He said they would like to keep some of these issues consistent with the

feel that Farmington City currently has in its downtown area. He believes this proposal is consistent with existing street plans and the objectives of this transit-oriented development area and that it will provide safe and functional circulation.

Public Hearing Opened

Chairman Bilton opened the public hearing at 7:45 p.m.

Rich Haws, 1869 North Bella Vista, Farmington stated that he is in agreement generally with Staff recommendations. He then commented regarding five issues of concern:

1. Move the median landscaping from the center to the sides and add site lighting.
2. Landscaping design including sidewalk, parking, and median widths.
3. Define the ordinance regarding right of way. He referred to the phrase in Section 18-104, "on which a public easement will be placed if not part of the right of way," and said that the zoning ordinance is ambiguous.
4. Establish bicycle routes.
5. The side treatments--how much is right of way and how much is developer responsibility.

Soren Simonsen said he does not have an objection to wider strips. He has shown minimum standards which accomplish the goals of the regulating plan, and he would be open to wider strips if it enhances the area. **Chairman Bilton** asked if anyone else wanted to speak, and **Ron Martinez**, America West Development, 5019 Skyline Drive, stated that he has some concerns regarding this Item.

Public Hearing Closed

Chairman Bilton closed the public hearing at 8:20 p.m. He asked **David Petersen** to comment on this Item. **David Petersen** stressed the importance of adequate parking, proper placement of trees and other landscaping, and the possible time frame regarding the building of this road.

Chairman Bilton asked for comments and/or questions from the Commission. **Rick Draper** agreed that the size of the parking strip is very important for the success of the development in this area. **Steve Andersen** strongly recommended 10-foot sidewalks. **Chairman Bilton** said he has some concern regarding the bicycle traffic and stressed the importance of establishing bike routes. He advised that all parties involved need to be very clear about the pedestrian and bicycle issues. He agreed with **Steve Andersen** and **Rick Draper** regarding the width of the sidewalk and stressed the importance of establishing the proper ordinances to get the project right. There was more discussion regarding road width, bike lanes, width of sidewalks and landscaping areas, pedestrian friendly environment, lighting, etc. All of the members agreed that the correct standards must be set so there is continuity throughout the development.

Jim Young requested that **Ron Martinez** provide his concerns to the Planning Commission prior to the February 12, 2009 meeting. **Mr. Martinez** agreed to provide the information as soon as possible.

Motion

Steve Andersen made a motion that the Commission continue the discussion of Item 5 Master Transportation Plan zoning text amendment to the February 12, 2009 Planning Commission meeting. **Rick Draper** seconded the motion, and it was unanimously approved.

OTHER BUSINESS

(Agenda Item #6) - Miscellaneous, correspondence, etc. (Agenda Item #6)

David Petersen said he received information regarding two legislative bills that are of concern to Farmington City. House Bill 272 deals with scenic byways, and Legacy Parkway is a state designated scenic byway. Currently, the governor (or the executive branch), and the Tourism/Travel Bureau designates the scenic byways. This bill proposes that the designation process be handed to the state legislature. There would be a committee that looks at scenic byways and segmentation of them if they do not meet certain standards. **Mr. Petersen** stressed that this would open the door for billboards along Legacy Parkway. The five cities involved all agree that they should fight this Bill and not allow signs along the Parkway. He stressed that local legislative representatives be contacted regarding this issue. **Rick Draper** asked if the overlay zone would define billboards on Legacy Parkway. Mr. Petersen said that would be superseded by this bill if it were to pass. **Mr. Petersen** said another frustrating issue is that a second-year Representative in Utah County is sponsoring this bill, and it is specifically directed for Legacy Parkway. None of the Davis County legislators were approached regarding this topic. House Bill 141 is the other bill of concern, and it is being sponsored by Representative Craig Frank. Currently, a property owner can relocate their billboard to another commercial area within half a mile of the current site. If the city tries to prevent them, it is an act of eminent domain—the city is required to buy the billboard. Also, as it is currently written, when the sign is relocated, the property owner can have it at least the same height. This Bill would change the distance to a mile, and the height would be changed to 65 feet.

Mr. Petersen said Staff does not approve of either bill. **Chairman Bilton** agreed and expressed his opinion that the billboard community lobbyists are aggressive and have the ability to move things forward quickly. He stated that we need to thwart this effort as much as possible.

David Petersen said the City Council will meet on Tuesday, February 3, 2009 at 9:00 p.m. in a closed session to discuss ongoing litigation. The City Council has invited the Planning Commission to attend.

Mr. Petersen said some developers have complained that Farmington is too strict with regards to signs. The mayor asked Staff to gather some feedback regarding this issue. Staff prepared a survey and invited several developers to offer their input regarding the sign issue. **Mr. Petersen** asked each Planning Commission member to complete the same survey.

Motion

Jim Young made a motion to recommend to the City Council that they consider a resolution opposing House Bill 272 and House Bill 141 as being detrimental to the Legacy Parkway and its designation as a scenic byway. The Commission members agreed that municipalities should have the right to establish zoning for billboards. **Michael Wagstaff** seconded the motion, and it was unanimously approved.

ADJOURNMENT

Motion

Rick Draper made a motion to adjourn the meeting 8:45 p.m. **Steve Andersen** seconded the motion, and it was unanimously approved. The Planning Commission meeting was adjourned at 8:40 p.m.

John Bilton, Chairman
Farmington City Planning Commission